

1 Thomas J. Nolan, Esq., (SBN: 48413)



Nolan, Armstrong
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5 Attorney for Defendant
6 Kenneth Van Aalsburg

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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN JOSE DIVISION**

12
13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16
17 KENNETH VAN AALSBURG,

18
19 Defendant.

Case No. CR 07 00603 JW

**MOTION TO RESET SENTENCING
DATE FROM SEPTEMBER 8, 2008 AT
1:30 P.M. TO OCTOBER 13, 2008 OR A
DATE THEREAFTER**

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22 TO: THE HONORABLE JAMES WARE, UNITED STATES DISTRICT COURT
JUDGE, JOSEPH RUSSINELLO, UNITED STATES ATTORNEY, AND HIS
23 ASSISTANT, JOSEPH FAZIOLI:

24 Please take notice that defendant Kenneth Van Aalsburg, by and through his
25 attorney, Thomas J. Nolan, hereby moves this Court for a continuance of the sentencing
26 date from September 8, 2008, at 1:30 p.m., to October 13, 2008, at 1:30 p.m. or any date
27 thereafter convenient to the Court.
28


1 This motion is made on the grounds that defendant's attorney, Thomas J. Nolan, is
2 presently engaged in a jury trial in Monterey County, California, and that he will be
3 engaged in that trial on September 8, 2008, and therefore unavailable to appear at
4 sentencing in this matter.

5 This motion is based upon the attached Declaration of Thomas J. Nolan.

6 Respectfully submitted,

7 NOLAN, ARMSTRONG, & BARTON, LLP

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9 Dated: August ^{25th}, 2008

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11 ^{for} Thomas J. Nolan Esq.
12 Attorney for Defendant
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